

United States Department of Agriculture

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

GYPSY MOTH AND BROWN-TAIL MOTH QUARANTINE (QUARANTINE NO. 45)

REVISION OF QUARANTINE AND REGULATIONS

INTRODUCTORY NOTE

The following revision of the gypsy moth and brown-tail moth quarantine provides for exemption of certain products by administrative instructions issued by the Chief of the Bureau of Entomology and Plant Quarantine, when in his judgment the nature of the growth or production, or the manufacture or processing of such products, is such that their interstate movement is not considered to constitute danger of spread of infestation.

The regulations have also been revised to require that persons to whom certificates are issued shall report, at the time of shipment, all consignments to points outside the regulated area.

SUMMARY

The regulated area includes the entire State of Rhode Island and parts of the States of Connecticut, Maine, Massachusetts, New Hampshire, and Vermont.

The restricted articles, unless exempted by administrative instructions, are as follows: (1) Coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arborvitae (white cedar) without roots, known and described as "Christmas trees", and parts thereof, and parts of evergreen decorative plants, such as boxwood, holly, and laurel; (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood, empty cable reels, and lumber; (3) trees, shrubs, vines, and all plants having persistent woody stems, and parts thereof, excepting seeds and fruit; and (4) stone or quarry products (regulation 1).

Under these regulations no restricted articles (as defined above) shall be moved or allowed to be moved interstate from the regulated areas to or through any point outside thereof, nor from the generally infested area to the lightly infested area, unless and until a certificate or permit shall have been issued therefor by an inspector (regulation 5).

Christmas trees and evergreen boughs originating in the generally infested area are not allowed to be moved interstate to any point outside of that area, and no certificate or permit will be issued authorizing such movement unless such trees have been grown as nursery stock in a cultivated nursery and are certified under the provisions of regulation 6.

Deciduous trees and such parts thereof as bear leaves are not allowed to be moved from the brown-tail moth infested area to outside points without a certificate or permit, except that a State nursery inspection certificate may be substituted for certain classes of movement within the gypsy moth regulated areas (regulation 5).

Plants grown in the greenhouse throughout the year and cut flowers thereof may be shipped interstate without inspection and certification on condition that each box or package thereof is plainly labeled to show that the contents were greenhouse grown.

For the conditions governing inspection and certification, marking requirements, and similar details, see regulations 6 to 12, inclusive.

To arrange for inspection and certificates, address Bureau of Entomology and Plant Quarantine, 916 County Office Building, White Plains, N. Y.

LEE A. STRONG,
Chief, Bureau of Entomology and Plant Quarantine.

NOTICE OF QUARANTINE NO. 45 (REVISED)

(Approved Nov. 4, 1935 ; effective Nov. 4, 1935)

The fact has been determined by the Secretary of Agriculture, and notice is hereby given, that two injurious insects—the gypsy moth (*Porthetria dispar*) and the brown-tail moth (*Nygmia phaeorrhoea*)—not heretofore widely distributed within and throughout the United States, exist in all of Rhode Island, and in parts of the following States, to wit, Maine, New Hampshire, Vermont, Massachusetts, and Connecticut.

Now, therefore, I, H. A. Wallace, Secretary of Agriculture, under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), do hereby quarantine the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, and by this Notice of Quarantine No. 45 do order that (1) coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arborvitae (white cedar), known and described as “Christmas trees”, and parts thereof, and decorative plants, such as holly and laurel, known and described as “Christmas greens or greenery”; (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood, and lumber; (3) field-grown florists’ stock, trees, shrubs, vines, cuttings, and other plants and plant products, excepting fruit pits, seeds of fruit and ornamental trees and shrubs, field, vegetable, and flower seeds, bedding plants, and other herbaceous plants and roots; and (4) stone or quarry products, shall not be moved or allowed to move interstate from any of said States in manner or method or under conditions other than those prescribed in the rules and regulations supplemental hereto: *Provided*, That certain articles classed as restricted herein may, because of the nature of their growth or production or their manufactured or processed condition, be exempted by administrative instructions issued by the Chief of the Bureau of Entomology and Plant Quarantine when, in his judgment, such articles are considered innocuous as carriers of infestation.

Done at the city of Washington this 4th day of November 1935.

Witness my hand and the seal of the United States Department of Agriculture.



H. A. WALLACE,
Secretary of Agriculture.

RULES AND REGULATIONS (SEVENTH REVISION) SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 45

(Approved Nov. 4, 1935 ; effective Nov. 4, 1935)

Regulation 1.—Definitions

For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(a) *Gypsy moth*: The insect known as the gypsy moth (*Porthetria dispar*).
(b) *Brown-tail moth*: The insect known as the brown-tail moth (*Nygmia phaeorrhoea*, formerly referred to as *Euproctis chrysorrhoea*).

(c) *Quarantined area*: Any State quarantined by the Secretary of Agriculture upon determination by him that either the gypsy moth or the brown-tail moth, or both, exist therein.

(d) *Regulated area*: The entire area comprised of portions of the quarantined States now or hereafter designated by the Secretary of Agriculture as regulated to prevent the spread of the gypsy moth or brown-tail moth, or both, therefrom.

(e) *Generally infested area*: The entire area comprised of portions of the quarantined States now or hereafter designated by the Secretary of Agriculture as generally infested with the gypsy moth.

(f) *Lightly infested area*: The entire area comprised of portions of the quarantined States now or hereafter designated by the Secretary of Agriculture as lightly infested with the gypsy moth.

(g) *Brown-tail moth infested area*: The entire area comprised of portions of the quarantined States now or hereafter designated by the Secretary of Agriculture as infested with the brown-tail moth.

(h) *Restricted articles*: (1) Coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arbovitae (white cedar) without roots, known and described as "Christmas trees", and parts thereof, and parts of evergreen decorative plants, such as boxwood, holly, and laurel; (2) forest-plant products, including logs, tanbark, posts, poles, car stakes, railroad ties, cordwood, empty cable reels, and lumber; (3) trees, shrubs, vines, and all plants having persistent woody stems, and parts thereof, excepting seeds and fruit; and (4) stone or quarry products.

(i) *Moved or allowed to be moved interstate*: Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from one State or Territory or District of the United States into or through any other State or Territory or District.

(j) *Inspector*: An inspector of the United States Department of Agriculture.

Regulation 2.—Limitation of Restrictions to Regulated Areas

Conditioned upon the State concerned providing for and enforcing such control measures with respect to the regulated areas as in the judgment of the Secretary of Agriculture shall be deemed adequate to prevent the spread of the gypsy moth and the brown-tail moth to other parts of the State, the restrictions provided in these regulations on the interstate movement of plants and plant products and other articles enumerated in said notice of quarantine will be limited to such movement from the areas in such State now or hereafter designated by the Secretary of Agriculture as regulated areas.

Regulation 3.—Regulated Areas; Generally and Lightly Infested Areas; Brown-tail Moth Infested Area

(1) REGULATED AREAS

The Secretary of Agriculture designates as regulated areas for the purpose of these regulations the States, counties, townships, towns, plantations, cities, and other political subdivisions listed below, including any cities, towns, boroughs, or other political subdivisions included within their limits.

Connecticut.—Counties of Hartford, Middlesex, New London, Tolland, and Windham; towns of Barkamsted, Colebrook, Harwinton, New Hartford, Plymouth, Thomaston, Torrington, and Winchester, in *Litchfield County*; towns of Branford, Guilford, Madison, Meriden, North Branford, North Haven, Waterbury, and Wolcott, in *New Haven County*.

Maine.—Counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo, and York; towns of Avon, Berlin, Carthage, Chesterville, Crocktown, Dallas Plantation, Farmington, Freeman, Industry, Jay, Jerusalem, Kingfield, Madrid, Mount Abraham, New Sharon, New Vineyard, Perkins, Phillips, Rangeley Plantation, Redington, Salem, Sandy River Plantation, Strong, Temple, Washington, Weld, and Wilton, and Townships D and E, in *Franklin County*; all of *Hancock County* except Plantations 3, 4, 35, and 41; all that part of *Oxford County* south and southeast of and including Magalloway Plantation and Richardsontown; towns of Alton, Argyle, Bradford, Bradley, Carmel, Charleston, Clifton, Corinna, Corinth, Dexter, Dixmont, Eddington, Etna, Exeter, Garland, Glenburn, Grand Falls Plantation, Greenbush, Greenfield, Hampden, Hermon, Holden, Hudson, Kenduskeag, Levant, Milford, Newburgh, Newport, Orono, Orrington, Plymouth, Stetson, Summit, and Veazie, and cities of Bangor, Brewer, and Old Town, in *Penobscot County*; towns of Abbott, Atkinson, Dover, Foxcroft, Guilford, Kingsbury Plantation, Parkman, Sangerville, and Wellington, in *Piscataquis County*; all that part of *Somerset County* south and southeast of and including Highland and Pleasant Ridge Plantations, town of Moscow, and Mayfield Plantation; towns of Beddington, Cherryfield, Columbia, Deblois, Harrington, Millbridge, and Steuben, and Plantations 18 and 24, in *Washington County*.

Massachusetts.—Counties of Barnstable, Bristol, Dukes, Essex, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester; all of *Franklin County* except the town of Monroe.

New Hampshire.—Counties of Belknap, Carroll, Cheshire, Grafton, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; all that part of *Coo*s

County lying south of and including the towns of Columbia, Errol, Ervings Location, and Millsfield.

Rhode Island.—The entire State.

Vermont.—Counties of Caledonia, Orange, Windham, and Windsor; towns of Landgrove, Peru, Readsboro, Searsburg, and Winhall, in *Bennington County*; towns of Brunswick, Concord, East Haven, Ferdinand, Granby, Guildhall, Lunenburg, Maidstone, and Victory, in *Essex County*; towns of Elmore and Wolcott, in *Lamoille County*; towns of Chittenden, Clarendon, Ira, Mendon, Mount Holly, Mount Tabor, Pittsfield, Pittsford, Proctor, Rutland, Sherburne, Shrewsbury, Tinmouth, Wallingford, West Rutland, and the city of Rutland, in *Rutland County*; towns of Barre, Berlin, Cabot, Calais, East Montpelier, Marshfield, Middlesex, Montpelier, Moretown, Northfield, Plainfield, Roxbury, Waitsfield, Woodbury, and Worcester, in *Washington County*.

(2) DIVISION OF REGULATED AREA

For the purpose of regulating inspection and transportation, the territory designated above is divided into two classes of areas to be known as the "generally infested" and "lightly infested" areas respectively, and part of such regulated area is also designated as "brown-tail moth infested."

(3) LIGHTLY INFESTED AREA

The following States, counties, townships, towns, plantations, cities, and other political subdivisions, including any cities, towns, boroughs, or other political subdivisions included within their limits, are designated as the lightly infested area:

Connecticut.—County of Middlesex; towns of Avon, Berlin, Bristol, Burlington, Farmington, Marlboro, New Britain, Newington, Plainville, Rocky Hill, Southington, and West Hartford, in *Hartford County*; towns of Colebrook, Harwinton, New Hartford, Plymouth, Thomaston, Torrington, and Winchester, in *Litchfield County*; towns of Branford, Guilford, Madison, Meriden, North Branford, North Haven, Waterbury, and Wolcott, in *New Haven County*; towns of East Lyme, Lyme, and Old Lyme, in *New London County*.

Maine.—Towns of Avon, Berlin, Carthage, Chesterville, Crockertown, Dallas Plantation, Farmington, Freeman, Industry, Jay, Jerusalem, Kingfield, Madrid, Mount Abraham, New Sharon, New Vineyard, Perkins, Phillips, Rangeley Plantation, Redington, Salem, Sandy River Plantation, Strong, Temple, Washington, Weld, and Wilton, and Townships D and E, in *Franklin County*; towns of Amherst, Aurora, Bucksport, Dedham, Eastbrook, Franklin, Gouldsboro, Hancock, Lamoine, Mariaville, Orland, Osborn Plantation, Otis, Penobscot, Sorrento, Sullivan, Trenton, Verona, Waltham, city of Ellsworth, and townships or plantations numbered 7, 8, 9, 10, 16, 22, 28, 32, 33, 34, 39, and 40, in *Hancock County*; towns of Benton, Clinton, Rome, Unity Plantation, and Vienna, in *Kennebec County*; towns of Andover, Batchelders Grant, Bethel, Byron, C., C. surplus, Dixfield, Fryeburg Academy Grant, Gilead, Grafton, Hanover, Magalloway Plantation, Mexico, Milton Plantation, Newry, North Andover surplus, Peru, Richardsontown, Riley Grant, Roxbury, Rumford, and Upton, in *Oxford County*; towns of Alton, Argyle, Bradford, Bradley, Carmel, Charleston, Clifton, Corinna, Corinth, Dexter, Dixmont, Eddington, Etna, Exeter, Garland, Glenburn, Grand Falls Plantation, Greenbush, Greenfield, Hampden, Hermon, Holden, Hudson, Kenduskeag, Levant, Milford, Newburgh, Newport, Orono, Orrington, Plymouth, Stetson, Summit, and Veazie, and cities of Bangor, Brewer, and Old Town, in *Penobscot County*; towns of Abbott, Atkinson, Dover, Foxcroft, Guilford, Kingsbury Plantation, Parkman, Sangerville, and Wellington, in *Piscataquis County*; all that part of *Somerset County* south and southeast of and including Highland and Pleasant Ridge Plantations, town of Moscow, and Mayfield Plantation; towns of Brooks, Burnham, Frankfort, Freedom, Jackson, Knox, Monroe, Montville, Morrill, Prospect, Searsmont, Searsport, Stockton Springs, Swanville, Thorndike, Troy, Unity, Waldo, Winterport, and the city of Belfast, in *Waldo County*; towns of Beddington, Cherryfield, Columbia, Deblois, Harrington, Millbridge, and Steuben, and Plantations 18 and 24, in *Washington County*.

Massachusetts.—Towns of Charlemont, Hawley, Heath, and Rowe, in *Franklin County*; towns of Chester and Tolland, in *Hampden County*; towns of Cummington, Huntington, Middlefield, Plainfield, and Worthington, in *Hampshire County*.

New Hampshire.—Town of Hart Location, in *Carroll County*; all that part of *Coos County* lying south of and including the towns of Columbia, Errol, Ervings Location, and Millsfield; towns of Bath, Bethlehem, Franconia, Landaff, Lisbon, Littleton, Lyman, and Monroe, in *Grafton County*.

Rhode Island.—Town of New Shoreham (Block Island), in *Newport County*.

Vermont.—Counties of Caledonia and Orange; towns of Landgrove, Peru, Readsboro, Searsburg, and Winhall, in *Bennington County*; towns of Bruns-
wick, Concord, East Haven, Ferdinand, Granby, Guildhall, Lunenburg, Maidstone, and Victory, in *Essex County*; towns of Elmore and Wolcott, in *Lamoille County*; towns of Chittenden, Clarendon, Ira, Mendon, Mount Holly, Mount Tabor, Pittsfield, Pittsford, Proctor, Rutland, Sherburne, Shrewsbury, Tinmouth, Wallingford, West Rutland, and the city of Rutland, in *Rutland County*; towns of Barre, Berlin, Cabot, Calais, East Montpelier, Marshfield, Middlesex, Montpelier, Moretown, Northfield, Plainfield, Roxbury, Waitsfield, Woodbury, and Worcester, in *Washington County*; towns of Athens, Brookline, Dover, Grafton, Halifax, Jamaica, Londonderry, Marlboro, Newfane, Somerset, Stratton, Townshend, Wardsboro, Whitingham, Wilmington, and Windham, in *Windham County*; all of *Windsor County* except the towns of Springfield, Weathersfield, and Windsor.

(4) GENERALLY INFESTED AREA

All parts of the regulated area not designated as lightly infested in section (3) hereof, shall comprise the generally infested area.

(5) BROWN-TAIL MOTH INFESTED AREA

The following counties, towns, and other political subdivisions, including any cities, boroughs, or other political subdivisions included with'n their limits, are also infested with the brown-tail moth and are hereby designated as the brown-tail moth infested area:

Maine.—Counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo, and York; towns of Chesterville, Farmington, Industry, Jay, New Sharon, and Wilton, in *Franklin County*; towns of Bar Harbor, Bucksport, Orland, Surry, and Trenton, and the city of Ellsworth, in *Hancock County*, and all territory west and south of said towns in said county; towns of Albany, Bethel, Brownfield, Buckfield, Canton, Denmark, Dixfield, Fryeburg, Greenwood, Hartford, Hebron, Hiram, Lovell, Mason, Milton Plantation, Norway, Oxford, Paris, Peru, Porter, Rumford, Stoneham, Stow, Sumner, Sweden, Waterford, and Woodstock, in *Oxford County*; cities of Bangor and Brewer, and towns of Carmel, Dixmont, Etna, Hampden, Hermon, Newburgh, Orrington, and Plymouth, in *Penobscot County*; and towns of Canaan, Fairfield, Mercer, Norridgewock, Pittsfield, Skowhegan, Smithfield, and Starks, in *Somerset County*.

Massachusetts.—Counties of Barnstable, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, and Suffolk; towns of Ashburnham, Berlin, Blackstone, Bolton, Boylston, Clinton, Douglas, Fitchburg, Gardner, Grafton, Harvard, Holden, Hopedale, Lancaster, Leominster, Lunenburg, Mendon, Milford, Millbury, Millville, Northborough, Northbridge, Paxton, Princeton, Royalston, Shrewsbury, Southboro, Sterling, Sutton, Templeton, Upton, Uxbridge, Webster, West Bolyston, Westboro, Westminster, and Winchendon, and the city of Worcester, in *Worcester County*.

New Hampshire.—Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; all of *Carroll County* except the town of Jackson; all of *Grafton County* except the towns of Bethlehem and Littleton.

Vermont.—Towns of Barnet and Ryegate, in *Caledonia County*; towns of Bradford, Fairlee, Newbury, Thetford, and West Fairlee, in *Orange County*; towns of Brattleboro, Dummerston, Putney, Rockingham, Vernon, and Westminster, in *Windham County*; towns of Hartford, Hartland, Norwich, Springfield, Weatherford, West Windsor, and Windsor, in *Windsor County*.

Regulation 4.—Extension or Reduction of Regulated Areas

The regulated areas designated in regulation 3 may be extended or reduced as may be found advisable by the Secretary of Agriculture. Due notice of any extension or reduction and the areas affected thereby will be given in writing to the transportation companies doing business in or through the States in

which such areas are located and by publication in one or more newspapers selected by the Secretary of Agriculture within the States in which the areas affected are located.

Regulation 5.—Control of Movement of Restricted Articles

Certification required.—Except as otherwise provided in this regulation or except as exempted by administrative instructions:

(1) No restricted articles as defined in regulation 1 shall be moved or allowed to be moved interstate from the regulated areas to or through any point outside thereof, nor from the generally infested area to the lightly infested area, unless and until a certificate or permit shall have been issued therefor by an inspector.

(2) *Christmas trees and evergreen boughs.*—Coniferous trees, such as spruce, fir, hemlock, pine, juniper (cedar), and arborvitae (white cedar) without roots, known and described as "Christmas trees", and parts thereof over 1 foot in length, originating in the generally infested area (unless grown as nursery stock in a cultivated nursery and certified under the provisions of regulation 6 hereof), shall not be moved or allowed to be moved interstate to any point outside of such area and no certificate or permit will be issued authorizing such movement. Such articles which have originated in the lightly infested area may be shipped interstate from the generally infested area under the inspection and certification prescribed in paragraph (1) hereof.

(3) *Shipments from brown-tail moth infested area.*—Except as provided in paragraph (5) hereof no deciduous trees or shrubs, or such branches or other parts thereof as bear leaves, shall be moved or allowed to be moved interstate from the area designated as infested by the brown-tail moth to any point outside thereof unless and until a certificate or permit shall have been issued therefor by an inspector, except that as to such movement wholly within the generally infested gypsy-moth area or wholly within the lightly infested gypsy-moth area, a valid State nursery inspection certificate of the State from which the shipment is made may be substituted for such Federal certificate or permit.

(4) *Shipments within regulated areas unrestricted.*—Other than as prescribed in paragraph (3) hereof, and in regulation 9, no restrictions are placed by these regulations on the interstate movement of restricted articles wholly within the generally infested area or wholly within the lightly infested area or from the lightly infested area to the generally infested area.

(5) *Cut flowers and greenhouse-grown plants.*—In the case of woody plants which are grown in the greenhouse throughout the year, the plants themselves and the cut flowers thereof may be shipped interstate without inspection or certification¹ under these regulations on condition that each box or package thereof is plainly labeled to show that the contents were greenhouse grown.

(6) *Herbaceous plants unrestricted.*—No restrictions¹ are placed by these regulations on the interstate movement of strawberry plants, or of other herbaceous annual or perennial plants or parts thereof.

Regulation 6.—Conditions Governing the Issuance of Certificates

(a) *Application; assembly of articles for inspection.*—Persons intending to move or allow to be moved restricted articles interstate shall make application therefor as far as possible in advance of the probable date of shipment. Applications must show the nature and quantity of the plants or plant products or stone or quarry products it is proposed to move, together with their exact location, and, if practicable, the contemplated date of shipment. Applicants for inspection will be required to assemble or indicate the articles to be shipped so that they can be readily examined by the inspector. If not so placed, inspection will be refused. Articles to be inspected must be free from ice and snow and in condition to make inspection easily practicable.

(b) *Nursery-grown stock.*—With respect to nursery-grown stock, Federal inspection and the issuance of Federal certificates authorizing the interstate movement of nursery products will be conditioned on the presentation of a valid State certificate stating that the nursery in question has been inspected by a State nursery inspector and certifying that it is apparently free from infestation with gypsy and brown-tail moths. Such State certification shall be

¹ Shipments of such plants and flowers from the area regulated under the Japanese beetle quarantine are subject to the certification requirements of that quarantine.

renewed each year, shall be based on an inspection made as promptly as practicable after the egg-laying period of the gypsy moth, and shall be valid for the purpose of Federal certification, until the following egg-hatching period, except that, pending reinspection, shipments may be inspected and certified for interstate movement on the basis of the State certification of the preceding year. Whenever any nursery or independent unit thereof in the regulated area, or any shipment therefrom, is reported by a State inspector to be appreciably infested with either the gypsy moth or the brown-tail moth, or whenever such infestation is determined by a Federal inspector on his examination of material offered for shipment, further certification for interstate movement from such nursery, or independent unit thereof, will be refused until such nursery has been freed from infestation and has been again inspected and certified by the State to be apparently clean. During the larval period of the gypsy moth all nursery stock shall be assembled for the examination of the Federal inspector, and if passed by him as free from any infestation, either by egg masses or wind-blown larvae, it may then be lined up and thoroughly sprayed under the direction of and in manner and method satisfactory to the said inspector, who will certify each shipment as having been thus inspected and treated.

(c) *Native trees and shrubs.*—With respect to living trees and plants not grown in nurseries, inspection and certification for interstate movement will be conditioned upon the presentation of a statement by the applicant indicating the exact source of such trees and plants, and in addition to such statement, if dug on land other than the property of the applicant, a permit from the owner of the said land authorizing such digging, provided such permit is required under the law of the State wherein the land is situated. If the inspection of the trees or plants intended for shipment discloses infestation with either the gypsy moth or brown-tail moth, certification will be refused as to the intended shipment and as to other similar shipments of trees or plants originating on the same property or in the same locality.

(d) *Forest products and stone and quarry products.*—Certificates of inspection authorizing the interstate movement of forest products and stone and quarry products may be issued under either of the following conditions: (1) When the articles to be shipped have actually been inspected and found free from infestation; or (2) when the articles have been disinfected under the supervision of an inspector in such a manner as to eliminate all risk of infestation. With respect to quarries, and with respect to yards or other places where forest products are assembled for shipment, as a condition of inspection and certification, the premises or surroundings of such places shall be cleaned up and kept free from gypsy moth infestation.

(e) *Charges for storage, etc.*—All charges for storage, cartage, and labor incident to inspection or disinfection other than the services of the inspectors shall be paid by the shipper.

(f) *Use of certificates.*—Certificates of inspection will be issued only for plants and plant products and stone or quarry products which are free from infestation by the gypsy moth and the brown-tail moth and have been so determined by an inspector. The use of such certificates in connection with plants and plant products and stone or quarry products which are not in compliance with these regulations is unlawful.

(g) *Report of certificates.*—Persons to whom certificates are issued shall report at time of shipment on forms provided for that purpose all their sales or shipments of such articles to points outside the regulated area.

Regulation 7.—Conditions Governing the Issuance of Permits Without Inspection, and the Reporting of Shipments

Permits authorizing the interstate movement of restricted articles may be issued (1) when such products have been grown, or manufactured, processed, and stored in such a manner that, in the judgment of the inspector, no infestation could be transmitted, and (2) when such products originate outside of the infested areas and, while within the infested area, have been stored and safeguarded in such a manner that, in the judgment of the inspector, no infestation could be transmitted. Permits will be issued only for plants and plant products and stone or quarry products which are not infested with the gypsy moth or brown-tail moth.

Persons to whom permits are issued shall report at time of shipment on forms provided for that purpose all their sales or shipments of such articles to points outside the regulated area.

Regulation 8.—Marking and Certification a Condition of Interstate Transportation

(a) Every car, vehicle, box, basket, or other container of the articles listed for which a certificate or permit is required by these regulations shall be plainly marked with the name and address of the consignor and the name and address of the consignee, and shall have securely attached to the outside thereof a valid certificate or permit issued in compliance with these regulations. In the case of lot shipments by freight, one certificate attached to one of the containers and another certificate attached to the waybill will be sufficient.

(b) In the case of bulk carload shipments by rail, the certificate shall accompany the waybill, conductor's manifest, memorandum, or bill of lading pertaining to such shipment, and in addition each car shall have securely attached to the outside thereof a placard showing the number of the certificate or certificates accompanying the waybill.

(c) In the case of shipment by road vehicle, the certificates shall accompany the vehicle.

(d) Certificates shall be surrendered to the consignee upon delivery of the shipment.

Regulation 9.—Thorough Cleaning Required of Cars, Boats, and Other Vehicles Before Moving Interstate

Cars, boats, and other vehicles which have been used in transporting restricted articles within the regulated areas shall not be moved or allowed to move interstate until the same shall have been thoroughly swept out and cleaned by the carrier at the point of unloading or destination of all litter and rubbish from such regulated articles. No litter, rubbish, or refuse from any such restricted articles shall be moved or allowed to move interstate.

Regulation 10.—Inspection in Transit

Any car, vehicle, basket, box, or other container moved interstate or offered to a common carrier for shipment interstate, which contains or which the inspector has probable cause to believe contains either infested articles or articles the movement of which is prohibited or restricted by these regulations, shall be subject to inspection by an inspector at any time or place.

Regulation 11.—Cancellation of Certificates and Permits

Certificates and permits issued under these regulations may be withdrawn or canceled by the inspector and further certification refused, either for any failure of compliance with the conditions of these regulations or violation of them, or whenever in the judgment of the inspector the further use of such certificates might result in the dissemination of infestation.

Regulation 12.—Shipments by the United States Department of Agriculture

Articles subject to restriction in these regulations may be moved interstate by the United States Department of Agriculture for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine showing compliance with such conditions.

These revised rules and regulations shall be effective on and after November 4, 1935, and shall supersede the rules and regulations promulgated September 27, 1934.

Done at the city of Washington this 4th day of November 1935.
Witness my hand and the seal of the United States Department
of Agriculture.



H. A. WALLACE,
Secretary of Agriculture.